

significant effect beyond the internal operating procedures of the agency issuing the policy, regulation, procedure, or form, or has a significant cost or administrative impact on contractors or offerors. This final rule is not required to be published for public comment, because DoD is not issuing a new regulation; rather, this rule is merely removing an obsolete clause from the DFARS.

#### IV. Executive Orders 12866 and 13563

Executive Orders (E.O.s) 12866 and 13563 direct agencies to assess all costs and benefits of available regulatory alternatives and, if regulation is necessary, to select regulatory approaches that maximize net benefits (including potential economic, environmental, public health and safety effects, distributive impacts, and equity). E.O. 13563 emphasizes the importance of quantifying both costs and benefits, of reducing costs, of harmonizing rules, and of promoting flexibility. This is not a significant regulatory action and, therefore, was not subject to review under section 6(b) of E.O. 12866, Regulatory Planning and Review, dated September 30, 1993. This rule is not a major rule under 5 U.S.C. 804.

#### V. Executive Order 13771

This rule is not subject to E.O. 13771, because this rule is not a significant regulatory action under E.O. 12866.

#### VI. Regulatory Flexibility Act

Because a notice of proposed rulemaking and an opportunity for public comment are not required to be given for this rule under 41 U.S.C. 1707(a)(1) (see section III. of this preamble), the analytical requirements of the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*) are not applicable. Accordingly, no regulatory flexibility analysis is required, and none has been prepared.

#### VII. Paperwork Reduction Act

The Paperwork Reduction Act (44 U.S.C. chapter 35) applies. This rule affects the information collection requirements in DFARS clause 252.241-7001, Price Adjustment, currently approved under OMB Control Number 0704-0245, entitled "Defense Federal Acquisition Regulation Supplement (DFARS) Part 247, Transportation, and associated clauses at DFARS 252.247." However, the reduction in burden and savings is negligible.

#### List of Subjects in 48 CFR Parts 247 and 252

Government procurement.

**Jennifer Lee Hawes**,  
*Regulatory Control Officer, Defense Acquisition Regulations System.*

Therefore, 48 CFR parts 247 and 252 are amended as follows:

■ 1. The authority citation for 48 CFR parts 247 and 252 continues to read as follows:

**Authority:** 41 U.S.C. 1303 and 48 CFR chapter 1.

#### PART 247—TRANSPORTATION

■ 2. Revise section 247.270-4 to read as follows:

##### 247.270-4 Contract clauses.

Use the following clauses in solicitations and contracts for stevedoring services as indicated:

- (a) 252.247-7000, Hardship Conditions.
- (b) 252.247-7002, Revision of Prices, when using negotiation.
- (c) 252.247-7007, Liability and Insurance.

#### PART 252—SOLICITATION PROVISIONS AND CONTRACT CLAUSES

252.247-7001 [Removed and Reserved]

■ 3. Remove and reserve section 252.247-7001.

##### 252.247-7002 [Amended]

■ 4. Amend section 252.247-7002 introductory text by removing "247.270-4(c)" and adding "247.270-4(b)" in its place.

##### 252.247-7007 [Amended]

■ 5. Amend section 252.247-7007 introductory text by removing "247.270-4(d)" and adding "247.270-4(c)" in its place.

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#### DEPARTMENT OF DEFENSE

#### Defense Acquisition Regulations System

#### 48 CFR Part 249

[Docket DARS-2019-0001]

#### Defense Federal Acquisition Regulation Supplement: Technical Amendment

**AGENCY:** Defense Acquisition Regulations System, Department of Defense (DoD).

**ACTION:** Final rule.

**SUMMARY:** DoD is making a technical amendment to the Defense Federal Acquisition Regulation Supplement (DFARS) to provide a needed editorial change.

**DATES:** Effective June 28, 2019.

**FOR FURTHER INFORMATION CONTACT:** Ms. Jennifer L. Hawes, Defense Acquisition Regulations System, OUSD (A&S) DPC (DARS), Room 3B941, 3060 Defense Pentagon, Washington, DC 20301-3060. Telephone 571-372-6115; facsimile 571-372-6094.

**SUPPLEMENTARY INFORMATION:** This final rule amends the DFARS to provide direction to contracting officers at DFARS 249.109-70 to see DFARS Procedures, Guidance, and Information (PGI) 249.109-70 for additional information and guidance for limitation on pricing of the terminated effort for settlement agreements.

#### List of Subjects in 48 CFR Part 249

Government procurement.

**Jennifer Lee Hawes**,  
*Regulatory Control Officer, Defense Acquisition Regulations System.*

Therefore, 48 CFR part 249 is amended as follows:

#### PART 249—TERMINATION OF CONTRACTS

■ 1. The authority citations for 48 CFR part 249 continue to read as follows:

**Authority:** 41 U.S.C. 421 and 48 CFR chapter 1.

■ 2. Section 249.109-70 is added to read as follows:

##### 249.109-70 Limitation on pricing of the terminated effort.

When there is a termination for convenience (partial or whole) or a change that reduces scope, follow the procedures at PGI 249.109-70 for limitation on pricing of the terminated or reduced effort.

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